

**Comments on BNFL Response to
Authorization Basis Maintenance Inspection Report IR-99-007**

A. Comments on BNFL Response to Finding IR-99-007-01-FIN

Finding description: The contractor had not established or implemented a process that would ensure that the authorization basis was maintained current with respect to the facility design.

1. *RU Comment on “Agreement or disagreement with the Finding”*

BNFL makes the statement: “The finding is based on the apparent disconnect between the issuance of design documents (e.g., drawings) and the completion of the authorization basis change process.” This statement misrepresents the basis for the Finding. The RU agrees that there is a disconnect in the BNFL processes for producing and issuing design documents and the process for maintaining the authorization basis. However, this configuration control issue only reflects a portion of the basis provided for the Finding in IR-99-007. In addition to this configuration management issue, the RU inspectors were unable to identify any BNFL plan or process that would result in the authorization basis being current with respect to the facility design at any point in the TWRS-P project.

2. *RU Comments on “Reason for the Finding”*

- a. BNFL makes the statement: “The fact that there is any Authorization Basis control at this point is, in itself, a unique feature of this project.” The RU agrees with the statement, however, it isn’t clear how this relates to the reason for the Finding. The TWRS-P contract is unique in that it does not invoke the set of DOE orders and standards that are applicable to radiological, nuclear, or process safety. Rather, BNFL has the responsibility of establishing an appropriate set of standards and management processes, according to a contractually specified process, and obtain approval of this information. Once established, this information is maintained through an authorization basis management process. The authorization basis information applicable during the current design phase of the TWRS-P contract was developed and submitted by BNFL in Part A of the project and was approved by the RU. The RU, consistent with Top Level Standards and Principles, expects this information to be maintained.
- b. The balance of the information provided in this section is not specifically relevant to identifying the reason for the Finding. Project requirements and BNFL commitments in the ISMP related to authorization basis management are not prescriptive. BNFL has wide latitude in establishing and implementing an effective and efficient authorization basis management process. The B-1 design phase began in August 1998, and was required to be conducted under a set of management processes described in the BNFL ISMP. The response does not address the reason why the management processes described in the ISMP related to authorization maintenance have not been fully implemented.

3. *RU Comments on “The corrective steps that will be taken to avoid further Findings”*
- a. The corrective action descriptions are vague. The following are two examples (1) the text states that the authorization basis will be maintained current within “a reasonable time gap” and (2) “ES&H will review documents at the back-end.”
 - b. Several key aspects of a complete set of corrective actions are missing. As examples; (1) the steps BNFL will take that result in achieving and verifying consistency between the facility design and authorization basis “by mid-April,” (2) personnel training on your new process to maintain the authorization basis current, and (3) BNFL assessment and verification of the effectiveness of the corrective actions following implementation.
 - c. There is no specific time-line provided for implementing proposed specific corrective actions.
 - d. Since the causes of the current Finding haven’t been adequately described (as described in Item A.2 above), it isn’t clear that the corrective actions will prevent recurrence of the same or similar conditions in the future.

B. Comments on BNFL Response to Finding IR-99-007-03-FIN

Finding description: Examples of a failure to follow BNFL procedures related to authorization basis management were identified.

1. *RU Comments on “Agreement or disagreement with the Finding”*
- a. The purpose of the discussion associated with example “a” of the Finding is unclear. The point of the Finding is that the RU has identified inadequacies in procedural compliance. BNFL has established procedures for making revisions to the authorization basis. The regulatory expectation is that these procedures be followed or changed. Also, there is an expectation that BNFL internal Quality Assurance and Management Assessment processes self-identify and correct procedural compliance problems, if they occur.
 - b. The discussion implies that RU agreement with proposed changes and resolution of comments circumvents the need to comply with procedures or to evaluate proposed or suggested changes to the authorization basis. The results of the RU review and concurrence process does not negate the need to follow procedures and does not alter BNFL’s responsibility to ensure that all changes to the authorization basis are safe and conform to applicable requirements.

C. Comments on BNFL Response to Finding IR-99-007-05-FIN

Finding description: A project record, ABCN-W375-99-0044, filed in document control was altered in manner inconsistent with QAPIP requirements.

1. *General comments*

- a. The response is confusing. The Finding identifies a situation where a record was altered. The corrective actions describe changes to the BNFL procedure change control process. The response did not address the issue of maintaining the integrity of project quality records.
- b. The BNFL response does not describe what BNFL had done to determine if the condition described in the Finding was an isolated instance or if this practice is more common.

D. Comments on BNFL Response to Finding IR-99-007-06-FIN

Finding description: Authorization basis management process screening evaluations were being performed and reviewed by individuals that had not completed required training.

1. *RU Comment on “The corrective steps that will be taken to avoid further Findings”*

The reasons for the Finding are described by BNFL as a failure on the part of management and the training program to make employees aware of training and qualification requirements and then enforce them. The corrective action description provided by BNFL, which describes changes to two documents, did not adequately address the causes for the problem as identified by BNFL.

2. *General comment*

The Finding identifies that, in the specific case of performing safety evaluations and screening assessments, the identified condition was common (e.g., most of the individuals performing or reviewing safety evaluations had not completed training). The response does not address what BNFL had done to determine the extent of this condition in relation to other project activities. Accordingly, it isn't possible to assess the adequacy of the corrective actions.